



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/845,976	04/30/2001	Robert Joseph Panek JR.	TCO1-102US	2953

7590

01/15/2002

Joshua L. Cohen
Ratner & Prestia Berwyn
One Westlakes, Suite 301
P.O. Box 980
Valley Forge, PA 19482-0980

EXAMINER

CASTELLANO, STEPHEN J

ART UNIT

PAPER NUMBER

3727

DATE MAILED: 01/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

file copy

Interview Summary	Application No.	Applicant(s)	
	09/845,976	PANEK, ROBERT JOSEPH	
	Examiner	Art Unit	
	Stephen J. Castellano	3727	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Stephen J. Castellano. (3) Mr. Matt Cohen (appl. rep.).
(2) Mr. Joshua Cohen (appl. rep.). (4) _____.

Date of Interview: 14 January 2002.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: _____.

Claim(s) discussed: Proposed claims.

Identification of prior art discussed: Of record.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Proposed claim 1 reads over the Rowe rejection. Proposed claim 12 reads over the Patey rejection. Proposed amendment has been attached.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☒ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


Stephen Castellano
Primary Examiner

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case unless both applicant and examiner agree that the examiner will record same. Where the examiner agrees to record the substance of the interview, or when it is adequately recorded on the Form or in an attachment to the Form, the examiner should check the appropriate box at the bottom of the Form which informs the applicant that the submission of a separate record of the substance of the interview as a supplement to the Form is not required.

It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

TCO1-102US

- 1 -

PROPOSED CLAIM AMENDMENTS***(NOT TO BE ENTERED)***

1 1. (Amended) A carrier configured to hold a container having a
2 door mounted for reciprocation between opened and closed positions, said carrier
3 comprising:

4 a mobile body adapted to receive the container; and

5 an extension coupled to said body for reciprocal movement with
6 respect to said body, said extension being adapted for engagement with the door of
7 the container, and said reciprocal movement of said extension being adapted to
8 reciprocate the door of the container between the opened and closed positions.

1 2. (Amended) The carrier recited in claim 1, further comprising a
2 container with a door [wherein], the door of the container [is] being mounted to slide
3 between the opened and closed positions, said extension being coupled for reciprocal
4 movement along a substantially straight path.

1 12. (Amended) A container system comprising:

2 a container having a door mounted for reciprocation between opened
3 and closed positions, said door being mounted to slide with respect to said container,
4 and

5 a carrier configured to hold said container, said carrier comprising a
6 body adapted to receive said container and an extension coupled to said body and for
7 reciprocal movement with respect to said body, said extension being adapted for
8 engagement with said door of said container, and said reciprocal movement of said
9 extension being adapted to reciprocate said door of said container for sliding between
10 said opened and closed positions.

1 21. (Newly Added) A carrier configured to hold a container
2 having a door mounted for reciprocation between opened and closed positions, said
3 carrier comprising:

4 a body adapted to receive the container, said body including a member
5 positioned to capture the container within said body; and

6 an extension coupled to said member of said body for reciprocal
7 movement with respect to said body, said extension being adapted for engagement
8 with the door of the container, and said reciprocal movement of said extension being
9 adapted to move the door of the container between the opened and closed positions.

**CONFIDENTIAL: IF RECEIVED BY A PARTY OTHER THEN THE NAMED ADDRESSEE,
SEE THE CONFIDENTIALITY NOTICE BELOW!**

RATNER & PRESTIA
Suite 301
One Westlakes, Berwyn
P.O. Box 980
Valley Forge, PA 19482
Phone: (610) 407-0700
Fax: (610) 407-0701

FACSIMILE COVER SHEET

DATE: January 14, 2002

OUR REF. NO.: TCO1-102US

YOUR REF. NO.: Appln. No. 09/845,976

FROM: Joshua L. Cohen
TO: Examiner Stephen J. Castellano
COMPANY: U.S. Patent and Trademark Office
FAX TELEPHONE: 703-746-4225
OFFICE TELEPHONE: 703-308-1035
TITLE OF DOCUMENT: Proposed Claim Amendments (Not to be Entered)
TOTAL NUMBER OF PAGE <u>3</u> (including this form)

COMMENTS:

Examiner Castellano:

As discussed, I am attaching proposed claim amendments for your consideration during our upcoming telephone interview, which I understand you will initiate at around 2:00 today. I look forward to our discussion.

Respectfully submitted,

Joshua L. Cohen, Reg. No. 38,040.

* CONFIDENTIALITY NOTICE

This facsimile transmission (and/or documents accompanying it) may contain Confidential Information belonging to the sender which is protected by the Attorney-Client privilege. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this information is strictly prohibited. If you have received this transmission in error, please immediately notify us by telephone to arrange for return of the documents.

Please notify us immediately if you have not received the number of pages indicated above.